DOCUMENT RESUME

ED 360 968 IR 054 643

TITLE	Citrus County Schools Copyright Guidelines Recommended by the Citrus County Association of School Media Specialists.
INSTITUTION	Citrus County School District, Inverness, FL.
PUB DATE	May 92
NOTE	10p.
PUB TYPE	Guides - Non-Classroom Use (055)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Audiovisual Aids; Computer Software; *Copyrights; Educational Policy; Elementary Secondary Education; *Federal Regulation; Government Role; Guidelines; *Legal Responsibility; Librarians; Library Associations; Media Specialists; Music; Plagiarism; Reprography; *School Districts; *Teacher Responsibility; Television
IDENTIFIERS	*Citrus County School District FL

ABSTRACT

This document contains copyright guidelines determined appropriate for the Citrus County School System (Florida) by the Citrus County Association of School Media Specialists in May, 1992. These guidelines are based on interpretation and understanding of current copyright law as applied to education and implemented in school districts in the United States. A historic perspective and overview of copyright laws and regulations is given, and the school district's policy is outlined. Specific guidelines are listed for the following areas: (1) video tapes and television programs; (2) music; (3) audiovisual works; (4) computer software; (5) photocopying; and (6) local sound slide or video productions. (SLD)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED 360 968

CITRUS COUNTY SCHOOLS

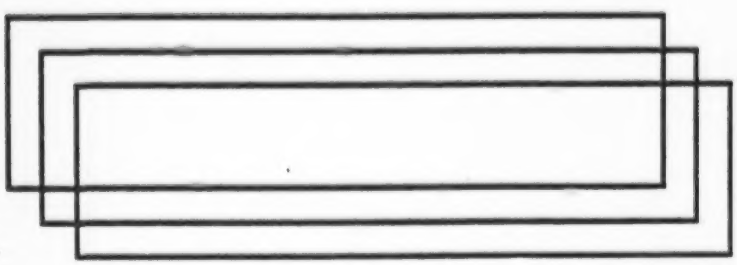
U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☐ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

COPYRIGHT GUIDELINES



Recommended by the
Citrus County Association of School Media Specialists

May 1992

Please include these pages as part of your faculty handbook.

PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

James M. Geddes

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC).

1205/1643

This document contains copyright guidelines determined appropriate for the Citrus County School System by the Citrus County Association of School Media Specialists (CCASMS) in May 1992. These guidelines are based on interpretation and understanding of current copyright law as applied to education, and implemented in school districts in the United States. You are encouraged to become familiar with these guidelines and implement them in your work as an educator in our school system.

Table of Contents

Historic Perspective and Overview ..... Page 1

District Copyright Policy ..... Page 2

Videotapes and TV Programs ..... Page 3

Music ..... Page 4

Audiovisual Works ..... Page 4

Computer Software ..... Page 5

Photocopying ..... Page 6

Local Productions ..... Page 7

HISTORIC PERSPECTIVE AND OVERVIEW

The Copyright Law of 1975 was the first general revision of the Copyright Law since 1909. It was revised again and effective January 1, 1978.

The "Fair Use Guidelines for Off-Air Taping" came into effect on October 14, 1981. Be advised that these guidelines are not law, but merely a result of a congressional committee report. However, they carry the weight of the law and will probably be up-held in the courts, if challenged.

COPYRIGHT DEFINED

Copyright is a property right to materials written and produced by authors. Its duration is the life of the author and 50 additional years.

COPYRIGHT FUNDAMENTALS

To provide the AUTHOR the sole right to:
1) make authorized copies;
2) prepare adaptations, translations, or abridged versions;
3) distribute copies;
4) give public performances;
5) display works.

TO DETERMINE "FAIR USE" FOR EDUCATORS, APPLY THESE FACTORS

1) Purpose and character of use: is it for profit or face-to-face teaching?
2) What is the nature of the work? What format?
3) What is the amount to be copied in relation to the whole? (brevity)
4) What is the effect of use on the potential sales market?

TO DETERMINE "FACE-TO-FACE TEACHING" APPLY THESE FACTORS:

1) Performed at a non-profit educational institution.
2) Conducted by a teacher or a student. Parents and guests are OK when acting as teachers.
3) In a classroom or facsimile.
4) Must be face-to-face where student is earning a grade. Closed Circuit Television is OK
5) Must be educational in nature- NOT FOR ENTERTAINMENT, REWARD, OR BEHAVIOR MODIFICATION PURPOSES. Any other performance is considered a public performance for which performance rights must be purchased or be acquired in writing from the copyright owner.

"PERFORMANCE" OF A WORK DEFINED

To "perform" a work means to recite, render, play, dance, or act it either directly or by means of any device or process.

SPECIAL PERMISSION

Permission may be asked of any copyright owner to copy or use whatever staff members may want; however, permission must be obtained in writing if permission is granted.

DISTRICT COPYRIGHT POLICY

TITLE: **Duplication of Materials**

POLICY: The District shall abide by all provisions of the copyright laws.

(1) Commercial materials, whether printed or non-printed, may not be duplicated without prior written permission from the owner or copyright holder.

(2) The School Board does not sanction or condone illegal duplication in any form, the use of illegally duplicated materials or the improper use of commercially duplicated materials.

(3) Procedures and guidelines for the legal duplication of materials for instructional purposes may be obtained from the school or District Media Center.

(4) Employees who willfully infringe upon current copyright laws may be subject to disciplinary action by the School Board.

STATUTORY AUTHORITY: Section 230.22 (2), Florida Statutes

LAW IMPLEMENTED: Section 230.01, Florida Statutes

The above policy is located on page 43, section E of the Citrus County School Board District Policy Handbook, approved 4/28/92.

VIDEO TAPES & TV PROGRAMS

PERMITTED

TV programs may be recorded off-the-air simultaneously with broadcast transmission from channels that can be received with an outside antenna and retained for a maximum period of 45 calendar days from the broadcast date with the following conditions:

1) Programs may be used in the classroom only during the first 10 consecutive school days within the 45 day calendar period.
2) Programs may be used only once by an individual teacher for relevant teaching activities and repeated only once for reinforcement.
3) After the first 10 consecutive school days off-air recordings may be used for the remainder of the 45 calendar day period for the teacher evaluation purposes only.
4) Recordings may be made only at the request of individual teachers.
5) Additional copies of off-air recordings may be reproduced or used during the initial 10 day period, then erased.
6) Videotapes purchased by the SCHOOL, even if marked "For home use only," may be used for face-to-face teaching in the classroom.

NOT PERMITTED

1) TV Programs originated by cable TV, such as paid channels (Showtime, HBO, Disney, etc.) may not be copied. Some antenna received programs also prohibit their duplication, see your media specialists for additional information. Public broadcast systems (i.e. PBS) programs have separate guidelines.

2) Videotapes may not be used for entertainment or reward. Videotapes borrowed, rented, or purchased from any source by an INDIVIDUAL and marked "For home use only," may not be used in the school for any purpose unless the vendor has a contract with the distributor signifying permission for educational use.

   TV programs recorded off-the-school premises may not be used in the school unless the 10/45 day guideline is adhered to.

   Videotapes provided for loan from a public library may not be used in the classroom unless the distributor has cleared the videotape for educational use AND the videotapes are used for face-to-face teaching situations, NOT for entertainment purposes.

MUSIC

PERMITTED

1) A short excerpt up to 10% from a performable unit of music, such as a song, movement, or section, may be copied for study purposes.

2) A single recording of student performances may be made for evaluation, rehearsal, or archival purposes.

3) An emergency temporary replacement copy may be made to substitute for a purchased copy that is not available for an imminent musical performance.

NOT PERMITTED

1) A performable unit of music (sheet music, song, movement, section) may not be copied for the purpose of performance.

2) Music or lyrics may not be copied in order to prepare for a performance, except on a temporary emergency basis.

AUDIOVISUAL WORKS

PERMITTED

1) AV work must be shown as part of the instructional program by students, teachers, or guest lecturers in a classroom or other school location devoted to instruction

2) AV works must be shown using a legitimate (that is, not illegally reproduced) copy with the copyright notice included.

3) Slides or overhead transparencies may be created from multiple sources (magazines, books, etc.) as long as the teacher or student does not exceed one photograph, drawing, chart or diagram per source.

4) A single overhead transparency may be made from a single page of a consumable workbook, not exceeding the one page from the entire book.

5) Useful frames from a damaged filmstrip may be salvaged in order to create a slide set, as long as the slides are maintained in the same chronological order as the original filmstrip, minus the damaged frames.

6) An opaque projector may be used to enlarge a map of an area for tracing in a larger scale, as long as the map is not reproduced with those parts that make it copyrightable, i.e. color scheme, shading, how cities, buildings are symbolized, etc.

7) Schools may transmit videotapes over closed circuit television systems when closed circuit rights are granted.

AUDIOVISUAL WORKS (continued)

NOT PERMITTED

1) Displays and performances of AV works are not permitted when:

   a: Used for entertainment, recreation, or even for their cultural or intellectual value but are unrelated to teaching activity.

   b: Shown in an auditorium or stadium before an audience not confined to students, such as a sporting event, graduation ceremony, or community lecture or arts series.

   c: Involving an illegally acquired or duplicated copy of the work.

2) Duplication of cassette tapes for archival, backup, or for multiple use is not permitted unless reproduction rights were given at the time of purchase.

3) Conversion of one media format into another, i.e., record onto audiotape, is not permitted.

4) Entire literary stories may not be narrated onto audiotapes.

COMPUTER SOFTWARE

PERMITTED

1) Copies may be made or adapted (depending on software license agreement) in order to use the program in conjunction with the machine.

2) Copies may be made for archival purposes. For example, A program can be reproduced (back-up copy), if the original copy is archived, and the back-up copy becomes the working copy. Upon damage of the working copy, the original archive copy should become the working copy. Unless specified, only one copy of the original work may be made.

NOT PERMITTED

1) Copies may not be made to be used on a second machine at the same time as the original, i.e., networks, unless a network or multiple copy license is owned.

2) Copies may not be made to avoid the purchase of a program.

PHOTOCOPYING

PERMITTED

1) Single copies may be made of the following:
   - a: A chapter of a book.
   - b: An article from a periodical or newspaper.
   - c: A short story, short essay, or short poem, whether or not from a collective work.
   - d: A chart, graph, diagram, cartoon or picture from a book, periodical or newspaper.

2) Multiple copies may be made of the following:
   - a: A complete poem if less than 250 words and if printed on more than two pages.
   - b: An excerpt from a long poem, but not to exceed 250 words.
   - c: A complete article, story or essay of less than 2,500 words or an excerpt, not more than 1,000 words, from a larger printed work not to exceed 10% of the whole, whichever of the preceding is less.
   - d: One chart, graph, diagram, cartoon, or picture per book or periodical issue.
   - e: Special works combining prose, poetry, and illustrations, but limited to no more than 10% of the total.
   - f: All preceding must bear the COPYRIGHT NOTICE crediting the author and source.

NOT PERMITTED

1) No part of a consumable work may be copied or laminated, such as workbooks, tests, test booklets, answer sheets, and ditto masters.

2) The same materials may not be copied for more than one course nor reproduced term to term. No more than nine instances of multiple copying is allowed in one class term.

3) No more than one work from a single author nor more than three authors from a collective work may be copied.

4) Materials may not be copied to create, replace or substitute for anthologies or collected works.

5) Copyrighted, syndicated cartoon characters may not be reproduced.

6) Students may not be charged for more than the actual photocopying cost.

LOCAL PRODUCTIONS

Teachers who wish to produce their own sound slide or video productions should be aware of the following guidelines:

PERMITTED

1) Slides, films, filmstrips, or photographs can be duplicated as long as one doesn't exceed one photograph, drawing, chart or diagram per source.

2) Students using copyrighted music must give credit to the copyright holder in their production.

NOT PERMITTED

1) Any photograph clearly labeled as being copyrighted may not be duplicated.

2) Copyrighted music cannot be used unless the production is done by a student for a graded assignment.

NOTE: The District Media Center has a collection of copyright cleared music on CD available for use by teachers in sound slide or video productions.